

REMARKS

The enclosed is responsive to the Examiner's Office Action mailed on July 27, 2007. At the time the Examiner mailed the Office Action claims 1-17 were pending. By way of the present response the Applicants have: 1) amended claims 1-17; 2) added 2 new claims (claims 26 & 27); and 3) canceled claims 18-25. As such, claims 1-17 and 26-27 are now pending. The Applicants respectfully request reconsideration of the present application and the allowance of all claims now represented.

Election/Restriction

In response to the election requirement under 35 U.S.C. §121 imposed by the Examiner, Applicant elects claims 1-17 drawn to a data structure to index an object, classified in class 707, subclass 100. Claims 18-25 are cancelled without prejudice.

Claim Rejections

35 U.S.C. 101 Rejections

The Examiner rejected claims 1-17 under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. Applicants have amended claims 1-17 and believe that the 101 rejection for claims 1-17 has been overcome.

35 U.S.C. 102(e) Rejections

The Examiner rejected claims 1-17 under 35 U.S.C. 102(e) as being anticipated by Gai, et al., U.S. Patent 7,185,073 (hereinafter "Gai").

Claim 1 as amended reads:

1. A computer readable medium having stored thereon data representing instructions that, when executed by a processor, cause the processor to perform operations comprising:
 - generating for storage of objects captured during transmission from an origination address to a destination address:
 - a source address field to indicate an origination address of the object;
 - a destination address field to indicate a destination address of the object;
 - a source port field to indicate an origination port of the object;

a destination port field to indicate a destination port of the object;
a content field to indicate a content type from a plurality of content types identifying a type of content contained in the object; and
a time field to indicate when the object was captured; and
storing data in the fields to create a tag, the tag indexing a captured object in storage.

The above-mentioned fields are thus associated with the storage of objects captured during transmission from an origination address to a destination address. Gai does not disclose storing captured objects, nor fields that are generated for storage of captured objects. Rather, the fields disclosed by Gai are for traffic management of data frames/packets traversing through networks. The traffic management of data frame/packets is accomplished by using priority levels for the data frame/packets, whether related to a user priority or a type of service or a differentiated service (DS), such that a certain level of quality of service can be maintained for transmitted data frame/packets as they are switched and routed among intermediary devices. (Col. 1, line 18 – col. 4, line 17; col. 10, line 41 – col. 11, line 5). Gai, thus, does not disclose generating for storage of objects captured during transmission from an origination address to a destination address, and thus does not disclose all the limitations of claim 1. Therefore, Gai does not anticipate claim 1 for at least this reason.

Moreover, claim 1 requires, in part, “storing data in the fields to create a tag, the tag indexing a captured object in storage.” Gai not only fails to disclose storing captured objects and generating fields for storage of the captured objects, but also fails to disclose storing data in fields to create a tag that indexes the captured object in storage. Gai, thus, does not disclose all the limitations of claim 1. Therefore, Gai does not anticipate claim 1 for at least this reason as well. Applicants respectfully submit that claim 1 is in a condition for allowance.

Claims 2-13 ultimately depend from claim 1 and thus include all the limitations of claim 1. Therefore, claims 2-13 are in a condition for allowance for at least the same reason as for claim 1.

Furthermore, claim 14 as amended recites:

A computer readable medium having stored thereon data representing instructions that, when executed by a processor, cause the processor to perform operations comprising:

- storing data associated with capture of an object by a capture system to create a tag that indexes the captured object in storage, the data comprising:
 - an Ethernet controller MAC address of the capture system that captured the object;
 - a source Ethernet IP address of the object;
 - a destination Ethernet IP address of the object;
 - a source TCP/IP port number of the object;
 - a destination TCP/IP port number of the object;
 - an IP protocol that carried the object when captured by the capture system;
 - a canonical count of a number of the object within a TCP/IP connection;
 - a content type of the object;
 - an encoding that was used on the object;
 - a [[the]] size of the object;
 - a timestamp indicating when the capture system captured the object;
 - a user who requested capture of the object;
 - a capture rule that directed capture of the object;
 - a hash signature of the object; and
 - a hash signature of the tag.

Claim 14 thus requires, at least, storing data associated with capture of an object by a capture system to create a tag that indexes the captured object in storage. As similarly reasoned for claim 1, Gai fails to teach storing data associated with capture of an object by a capture system to create a tag that indexes the captured object in storage. Therefore, Gai fails to teach all the limitations of claim 14 and claims 15-17 (which ultimately depend from claim 14 and includes all the limitations of claim 14). Therefore, claims 14-17 are thus in a condition for allowance for at least this reason.

35 U.S.C. 103(a) Rejections

The Examiner rejected claims 10-16 under 35 U.S.C. 103(a) as being unpatentable over Gai in view of Bart Preneel, "Cryptographic Hash Functions" (hereinafter "Preneel")

Claims 10-13 ultimately depend from claim 1 and include all the limitations of claim 1. Therefore, as reasoned above, Gai does not disclose

generating for storage of objects captured during transmission from an origination address to a destination address, nor storing data in fields to create a tag that indexes the captured object in storage. Preneel does not teach or suggest generating for storage of objects captured during transmission from an origination address to a destination address, nor storing data in fields to create a tag that indexes the captured object in storage. Rather, Preneel teaches cryptographic hash functions to protect the authenticity of information. The cryptographic keys in Preneel authenticate data and do index captured objects in storage. Therefore, neither Gai nor Preneel teach all the limitations of claims 10-13, and thus are not unpatentable over Gai in view of Preneel. Therefore, claims 10-13 are in a condition for allowance.

Claim 14, as shown above, requires, at least, storing data associated with capture of an object by a capture system to create a tag that indexes the captured object in storage. As reasoned above, Gai fails to teach storing data associated with capture of an object by a capture system to create a tag that indexes the captured object in storage. Furthermore, Preneel fails to teach storing data associated with capture of an object by a capture system to create a tag that indexes the captured object in storage. Rather, Preneel teaches cryptographic hash functions to protect the authenticity of information. The cryptographic keys in Preneel authenticate data and do index captured objects in storage. Therefore, neither Gai nor Preneel teach all the limitations of claim 14 (and claims 15-16 which ultimately depend from claim 14 and includes all the limitations of claim 14), are thus are not unpatentable over Gai in view of Preneel. Therefore, claims 14-16 are in a condition for allowance.

New Claims 26-27

New claims 26-27 have been added and include similar limitations discussed in claims 1 and 14, respectively, and are thus in a condition for allowance for similar reasons as for claims 1 and 14.

In light of the comments above, the Applicants respectfully request the allowance of all claims.

CONCLUSION

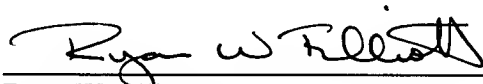
Applicants respectfully submit that all rejections have been overcome and that all pending claims are in condition for allowance.

If there are any additional charges, please charge them to our Deposit Account Number 02-2666. If a telephone conference would facilitate the prosecution of this application, the Examiner is invited to contact Thomas C. Webster at (408) 720-8300.

Respectfully submitted,

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